



2826  
Hw

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:** James M. Derderian

**Serial No.:** 09/939,253

**Filed:** August 24, 2001

**For:** SEMICONDUCTOR DEVICES AND  
SEMICONDUCTOR DEVICE  
ASSEMBLIES INCLUDING A  
NONCONFLUENT SPACER LAYER  
(AMENDED)

**Confirmation No.:** 2189

**Examiner:** A. Williams

**Group Art Unit:** 2826

**Attorney Docket No.:** 2269-4830US  
(01-0106.00/US)

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 28, 2004  
Date

Signature

Rachael M. Harris  
Name (Type/Print)

AMENDMENT

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Office Action mailed on August 25, 2004, the three-month shortened statutory period for response to which expires on November 25, 2004.

**Amendments to the claims** are set forth in the listing of the claims, which begins on page 2 of this paper; and

**Remarks** start at page 12 of this paper.